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10
11 Attorneys for Defendants
12 BANK OF NEW YORK MELLON fka THE BANK
13 OF NEW YORK, AS TRUSTEE ON BEHALF OF
14 THE HOLDERS OF THE ALTERNATIVE LOAN
15 TRUST 2007-OH2, MORTGAGE PASS-
16 THROUGH CERTIFICATES, SERIES 2007-OH2;
17 SELECT PORTFOLIO SERVICING, INC.; and
18 NATIONAL DEFAULT SERVICING
19 CORPORATION
20
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22 UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA

24 MOHAMMED S. HUSSEIN and ROZINA
25 HUSSEIN,

26 Plaintiff,

27 v.

28 BANK OF NEW YORK MELLON fka THE
BANK OF NEW YORK, AS TRUSTEE ON
BEHALF OF THE HOLDERS OF THE
ALTERNATIVE LOAN TRUST 2007-OH2,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-OH2;
NATIONAL DEFAULT SERVICING
CORPORATION; SELECT PORTFOLIO
SERVICING, INC.; and DOES 1-50
inclusive,

29 Defendants.

30 Case No. 3:15-cv-00907-WHA

31 **STIPULATED REQUEST TO
32 CONTINUE MAY 28, 2015, INITIAL
33 CASE MANAGEMENT
34 CONFERENCE; ORDER**

35 Date: May 28, 2015

36 Time: 8:00 a.m.

37 Location: Courtroom 8, 19th Floor

38 Judge: William Alsup

39 (Alameda County Superior Court, Case No.
40 RG15756589)

41 Complaint Filed: January 29, 2015

42 Removal Filed: February 27, 2015

The Parties, by and through their undersigned counsel, hereby recite and stipulate, subject to the Court's approval as provided for herein, as follows:

RECITALS

1. On January 29, 2015, Plaintiffs Mohammed S. Hussein and Rozina Hussein (“Plaintiffs”) filed their complaint in this action against The Bank of New York Mellon, fka The Bank of New York, as Trustee on Behalf of the Holders of the Alternative Loan Trust 2007-OH2, Mortgage Pass-Through Certificates, Series 2007-OH2 (“BONY”) Select Portfolio Servicing, Inc. (“SPS”), and National Default Servicing Corporation (“NDSC” ,collectively “Defendants”) in the Alameda County Superior Court.

2. On February 27, 2015, Defendants removed this matter to this Court. ECF # 1. On this same day, this case was assigned to Magistrate Judge Kandis A. Westmore.

3. On March 2, 2015, Magistrate Judge Westmore issued an Initial Case Management Scheduling Order with ADR Deadlines. ECF # 5. This Order set the initial case management conference for May 26, 2015.

4. On March 6, 2015, Defendants filed their Motion to Dismiss. ECF # 11. The hearing on this motion was set for April 16, 2015. On this same day, Defendants filed their Consent to Proceed Before a US Magistrate Judge. ECF #10.

5. On March 20, 2015, Plaintiffs filed their Opposition to Defendants' motion. ECF #14. And on March 27, 2015, Defendants filed their reply. ECF # 15.

6. On April 13, 2015, the matter was assigned to this Court due to Plaintiffs' failure to consent to Magistrate Judge Westmore. ECF # 21.

7. On April 16, 2015, Defendants re-filed their Motion To Dismiss and noticed it before this Court. ECF # 22. The hearing on this motion was set for May 28, 2015.

8. On April 17, 2015, the Court issued a Minute Order setting the initial case management conference for May 28, 2015. ECF # 24.

9. On April 28, 2015, the Court issued an Order granting Defendants' Motion To Dismiss and vacating the hearing date. ECF # 26. This Order gave Plaintiffs until May 12, 2015, at noon to file a motion for leave to file an amended complaint.

1 10. On May 12, 2015, Plaintiffs filed their motion for leave to file an amended
2 complaint. ECF # 27. The hearing on the motion is set to occur on July 2, 2015. ECF # 28. As
3 the case is not yet at issue, and given the July 2 hearing on Plaintiffs' motion, the Parties request
4 that the May 28, 2015, initial case management conference be continued to July 2, 2015 or to a
5 later alternative time convenient to the Court. In addition to allowing the Parties' counsel to
6 focus their efforts on the currently pending motion for leave, the continuance will also allow the
7 Parties to best preserve their resources.

STIPULATIONS

9 The Parties stipulate to a continuance of the May 28, 2015, initial case management
10 conference (and related briefing statements) to July 2, 2015, or to a later alternative date
11 convenient to the Court.

12 | DATED: May 13, 2015

STOEL RIVES LLP

By: /s/ Bryan L. Hawkins
BRYAN L. HAWKINS
Attorneys for Defendant
BANK OF NEW YORK MELLON fka THE
BANK OF NEW YORK, AS TRUSTEE ON
BEHALF OF THE HOLDERS OF THE
ALTERNATIVE LOAN TRUST 2007-OH2,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-OH2;
SELECT PORTFOLIO SERVICING, INC.;
and NATIONAL DEFAULT SERVICING
CORPORATION

DATED: May 13, 2015

WESTERN LAW CONNECTION CORP

By: /s/ Christopher G. Weston
CHRISTOPHER G. WESTON
Attorneys for Plaintiffs
MOHAMMED S. HUSSEIN and ROZINA
HUSSEIN

1 ATTESTATION OF SIGNATURE:

2 I attest under penalty of perjury under the laws of the United States of America that I have
3 received the concurrence in the filing of this document from the listed signatories as required by
4 Local Rule 5-1(i)(3).

5 DATED: May 13, 2015

STOEL RIVES LLP

6 By: /s/ Bryan L. Hawkins

7 BRYAN L. HAWKINS

8 Attorneys for Defendant

9 BANK OF NEW YORK MELLON fka THE
10 BANK OF NEW YORK, AS TRUSTEE ON
11 BEHALF OF THE HOLDERS OF THE
12 ALTERNATIVE LOAN TRUST 2007-OH2,
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14 CERTIFICATES, SERIES 2007-OH2;
15 SELECT PORTFOLIO SERVICING, INC.;
16 and NATIONAL DEFAULT SERVICING
17 CORPORATION

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17 SELECT PORTFOLIO SERVICING, INC.; and
18 NATIONAL DEFAULT SERVICING
19 CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

14 MOHAMMED S. HUSSEIN and ROZINA
HUSSEIN,

Plaintiff,

V.

18 BANK OF NEW YORK MELLON fka THE
19 BANK OF NEW YORK, AS TRUSTEE ON
20 BEHALF OF THE HOLDERS OF THE
21 ALTERNATIVE LOAN TRUST 2007-OH2,
22 MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2007-OH2;
NATIONAL DEFAULT SERVICING
CORPORATION; SELECT PORTFOLIO
SERVICING, INC.; and DOES 1-50
inclusive.

Defendants.

Case No. 3:15-cv-00907-WHA

[PROPOSED] ORDER GRANTING
STIPULATED REQUEST TO
CONTINUE MAY 28, 2015, INITIAL
CASE MANAGEMENT CONFERENCE

Date: May 28, 2015

Time: 8:00 a.m.

Location: Courtroom 8, 19th Floor

Judge: William Alsup

(Alameda County Superior Court, Case No.
RG15756589)

Complaint Filed: January 29, 2015
Removal Filed: February 27, 2015

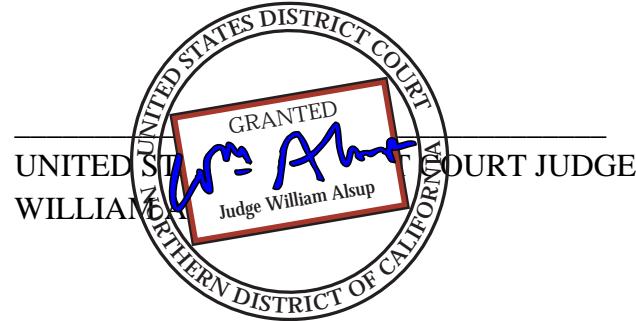
1 **[PROPOSED] ORDER**

2 Plaintiffs Mohammed S. Hussein and Rozina Hussein (“Plaintiffs”) and Defendants The
3 Bank of New York Mellon, fka The Bank of New York, as Trustee on Behalf of the Holders of
4 the Alternative Loan Trust 2007-OH2, Mortgage Pass-Through Certificates, Series 2007-OH2
5 (“BONY”) Select Portfolio Servicing, Inc. (“SPS”), and National Default Servicing Corporation’s
6 (“NDSC” ,collectively “Defendants”) Stipulated Request to Continue the May 28, 2015, Initial
7 Case Management Conference in this matter was filed on May 13, 2015. The Court, having
8 reviewed the Stipulation and finding good cause orders that:

9 The stipulated request is GRANTED. The May 28, 2015, Initial Case Management
10 July 2, 2015, at 8:00 A.M.
Conference in this matter is continued to _____, 2015.

11 IT IS SO ORDERED.

12 Dated: May 14, 2015.



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6 Attorneys for Defendants

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9 THE HOLDERS OF THE ALTERNATIVE LOAN

TRUST 2007-OH2, MORTGAGE PASS-

THROUGH CERTIFICATES, SERIES 2007-OH2;

SELECT PORTFOLIO SERVICING, INC.; and

NATIONAL DEFAULT SERVICING

CORPORATION

11 UNITED STATES DISTRICT COURT

12 NORTHERN DISTRICT OF CALIFORNIA

13 MOHAMMED S. HUSSEIN and ROZINA
HUSSEIN,

Case No. 4:15-cv-00907 WHA

14 Plaintiff,

DEFENDANT SELECT PORTFOLIO
SERVICING, INC.'s CERTIFICATE OF
SERVICE

15 v.

16 Date: May 28, 2015

17 Time: 8:00 a.m.

18 Location: Courtroom 8, 19th Floor

19 Judge: William H. Alsup

(Alameda County Superior Court, Case No.
RG15756589)

20 Complaint Filed: January 29, 2015

21 Removal Filed: February 27, 2015

22 BANK OF NEW YORK MELLON fka
THE BANK OF NEW YORK, AS
TRUSTEE ON BEHALF OF THE
HOLDERS OF THE ALTERNATIVE
LOAN TRUST 2007-OH2, MORTGAGE
PASS-THROUGH CERTIFICATES,
SERIES 2007-OH2; NATIONAL
DEFAULT SERVICING
CORPORATION; SELECT PORTFOLIO
SERVICING, INC.; and DOES 1-50
inclusive,

23 Defendants.

24 I hereby certify that on May 14, 2015, I electronically filed the foregoing:

25 (1) **STIPULATED REQUEST TO CONTINUE MAY 28, 2015, INITIAL CASE
26 MANAGEMENT CONFERENCE**

27 with the Clerk of the Court using the CM/ECF system, which will send notification of such

1 filing to the following persons in accordance with the Federal Rules of Civil Procedure at the
2 email addresses listed below:

3
4 Christopher G. Weston, Esq.
5 Western Law Connection Corp.
6 4311 Wilshire Boulevard, Suite 615
7 Los Angeles, CA 90010
323-936-0815
323-936-0700
WLconnection@aol.com

Attorneys for Plaintiffs
Mohammed S. Hussein and Rozina Hussein

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct and that this document was executed on May 14, 2015, at
10 Sacramento, California.

11 
12 MARIA DAVIS

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